

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

R.P.,<sup>1</sup>

Plaintiff,

No.

v.

SEATTLE SCHOOL DISTRICT,

Defendant.

## NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Defendant Seattle School District, by and through their undersigned counsel, hereby remove the above-captioned case from the Superior Court of the State of Washington for King County to the United States District Court for the Western District of Washington at Seattle pursuant to 28 U.S.C. § 1446, and respectfully state:

1. The above-captioned matter was filed on November 27, 2013, and is pending in the Superior Court of the State of Washington for King County, under Cause No. 13-2-40293-9

2. This law firm represents Defendant in this action. As required by 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders filed with the Court are attached hereto as Exhibit 1.<sup>2</sup>

<sup>1</sup> Defendant uses the caption of the case filed in King County Superior Court, but objects to Plaintiff's use of initials given that she is an adult. Defendant intends to file a motion to amend the caption.

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3. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days after becoming aware of Plaintiff's Complaint.

4. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served upon counsel for Plaintiff, and a copy is being filed with the clerk of the King County Superior Court.

5. Plaintiff's Complaint alleges, in addition to state law negligence claims, that Defendant created a hostile school environment actionable under Title IX, 20 U.S.C. §1681. (See Ex. 1 at ¶ 8).

6. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1331, as district courts have original jurisdiction over all civil actions arising under the laws of the United States, and under 28 U.S.C. § 1337(a), as a district court has supplemental jurisdiction over all other claims that are so related to claims in the action within original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution.

7. The above-captioned matter may be removed to this Court pursuant to 28 U.S.C. § 1441(b). Per LCR 3(d)(1) this is a District Court of the United States for the District and division embracing the place where the state court action is pending, and is, therefore, the appropriate Court for removal pursuant to 28 U.S.C. § 1441.

## INTRADISTRICT ASSIGNMENT

Pursuant to Local Rules W.D. Wash. CR 3(d)(1) and 101(e), removal from King County Superior Court to the United States District Court for the Western District of

<sup>2</sup> A true and correct copy of Plaintiff's Complaint is attached hereto as Exhibit 1 for the Court's convenience.

**NOTICE OF REMOVAL - 2**  
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1 Washington at Seattle is proper.  
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4 DATED this 12<sup>th</sup> day of December, 2013.  
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7 PATTERSON BUCHANAN  
8 FOBES & LEITCH, INC., P.S.  
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11 By: s/Patricia K. Buchanan  
12 Patricia K. Buchanan, WSBA 19892  
13 Attorney for Defendant  
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## **CERTIFICATE OF SERVICE**

I, Rachel A. West, hereby declare that on this December 12, 2013, I caused to be delivered via the method listed below the document to which this Certificate of Service is attached (plus any exhibits and/or attachments) to the following:

ATTORNEY NAME & ADDRESS	METHOD OF DELIVERY
Attorney Lincoln Beauregard Connelly Law Offices 2301 North 30 <sup>th</sup> Street Tacoma, WA 98403	<input type="checkbox"/> Electronic Mail <input checked="" type="checkbox"/> ABC Legal Messenger Service <input type="checkbox"/> Regular U.S. Mail <input type="checkbox"/> FedEx Overnight <input type="checkbox"/> Express Mail/Certified Mail <input type="checkbox"/> Other: _____

I certify under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct.

DATED this 12<sup>th</sup> day of December, 2013, at Seattle, Washington.

  
Rachel A. West  
July 1, 2013

**NOTICE OF REMOVAL - 4**  
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FOBES & LEITCH, INC., P.S.